

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

	)	
In re:	)	Chapter 11
	)	
PES HOLDINGS, LLC, <i>et al.</i> ,	)	Case No. 19-11626 (LSS)
	)	
Debtors.	)	(Jointly Administered)
	)	
	)	
PES HOLDINGS, LLC, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	Adversary Proceeding
	)	
v.	)	Case No. 20-50454 (LSS)
	)	
ALLIANZ GLOBAL RISKS US INSURANCE	)	
CO., <i>et al.</i> ,	)	
	)	
Defendants.	)	

## CONDITIONAL DEMAND FOR JURY TRIAL

PES Holdings, LLC, North Yard GP, LLC, North Yard Logistics, L.P., PES Administrative Services, LLC, PES Energy Inc., PES Intermediate, LLC, PES Ultimate Holdings, LLC, and Philadelphia Energy Solutions Refining and Marketing LLC (collectively, the “Company”) believe that this Bankruptcy Court has authority to finally decide and determine the above-captioned adversary proceeding. The defendant Insurers deny this. *See* Answer ¶ 13.

The Company intends to, and reserves all rights to, contest any request to transfer this adversary proceeding to another court, including but not limited to any motion to withdraw the reference, motion for abstention, or motion to transfer this proceeding. In the event that this Bankruptcy Court or any other court determines that this adversary proceeding must be heard in a court other than this Bankruptcy Court for any reason, then pursuant to Federal Rule of Civil

Procedure 38(b), made applicable to this proceeding by Federal Rule of Bankruptcy Procedure 9015(a), the Company demands trial by jury of all issues so triable.

Dated: April 10, 2020  
Wilmington, Delaware

*/s/ Laura Davis Jones*

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- and -

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